

MONTANA LEGISLATIVE HISTORY

Chapter 410 19 25

Bill H _____ S 268 Original bill & history ____C

H. Committee on Judiciary

Hearing Date(s) Mar 13 ✓ C

Mar 14 ✓ C

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_____ C

Date Out _____ C

S. Committee on Judiciary

Hearing Date(s) Feb 14 ✓ C

Feb 24 ✓ C

_____ C

_____ C

Did this bill originate in an interim committee? ____ Yes ____ No

Committee _____

Report _____

1 *Senate* BILL NO. *268*
2 INTRODUCED BY *LYNCH Flynn Turnage*
3
4 A BILL FOR AN ACT ENTITLED: "AN ACT CREATING A PERMANENT
5 JOINT INTERIM COMMITTEE OF THE LEGISLATURE KNOWN AS THE
6 ADMINISTRATIVE CODE COMMITTEE; PROVIDING FOR THE REVIEW OF
7 RULES PROPOSED TO BE ADOPTED UNDER THE ADMINISTRATIVE
8 PROCEDURE ACT BY THE COMMITTEE; AUTHORIZING THE COMMITTEE TO
9 SUSPEND RULES UNTIL THE NEXT REGULAR LEGISLATIVE SESSION;
10 AMENDING SECTION 84-4204, R.C.M. 1947; AND PROVIDING AN
11 EFFECTIVE DATE."

12
13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

14 Section 1. Administrative code committee --
15 appointment and term of members -- officers. The
16 administrative code committee consists of four (4) members
17 of the senate and four (4) members of the house of
18 representatives appointed before the sixtieth legislative
19 day of the regular session in the same manner as standing
20 committees of the respective houses are appointed. A
21 vacancy on the committee occurring when the legislature is
22 not in session shall be filled by the selection of a member
23 of the legislature by the remaining members of the
24 committee. No more than two (2) of the appointees of each
25 house may be members of the same political party. A member

1 of the same political party. A member of the committee
2 shall serve until his term of office as a legislator ends or
3 until the end of the sixtieth legislative day of the session
4 of the biennium following his appointment or until his
5 successor is appointed, whichever occurs first. The
6 committee shall elect one (1) of its members as chairman and
7 such other officers as it deems necessary.

8 Section 2. Meetings. The committee shall meet as often
9 as may be necessary, during and between legislative
10 sessions. Committee members shall be reimbursed from the
11 appropriation to the legislative council for their actual
12 and necessary expenses incurred as a result of interim
13 meetings, and paid compensation as provided by law for
14 interim standing committees.

15 Section 3. Appointment of employees and consultants.
16 The administrative code committee may appoint whatever
17 employees, consultants, or counsel are necessary to carry
18 out the provisions of this act, within the limitations of
19 legislative appropriations.

20 Section 4. Hearings -- suspension of rule -- notice --
21 publication. The committee shall consider all rules
22 referred to it under section 82-4204, and shall conduct
23 hearings on such rules as it considers necessary. The
24 committee may suspend any rule promulgated subsequent to the
25 adjournment of the last preceding regular session of the

INTRODUCED BILL

1 legislature. The committee shall notify the promulgating
 2 state agency and the secretary of state of any rule it
 3 suspends, which rule shall not be published in the
 4 administrative code or supplement while so suspended. The
 5 period of suspension runs until the next regular session of
 6 the legislature convenes. The committee shall report each
 7 suspension to the next legislature.

8 Section 5. Section 82-4204, R.C.M. 1947, is amended to
 9 read as follows:

10 "82-4204. Adoption -- amendment or repeal of rules --
 11 emergency rules. (1) Prior to the adoption, amendment or
 12 repeal of any rule, the agency shall:

13 (a) Give written notice of its intended action. The
 14 notice shall include a statement of either the terms or
 15 substance of the intended action or a description of the
 16 subjects and issues involved, and the time when, place
 17 where, and manner in which interested persons may present
 18 their views thereon. The notice shall be filed with the
 19 secretary of state for publication in the Montana
 20 administrative register as provided in section 6 (2)
 21 [82-4206 (2)] of this act and mailed to persons who have
 22 made timely requests to the agency for advance notice of its
 23 rule-making proceedings. The notice shall be published and
 24 mailed at least twenty (20) days in advance of the agency's
 25 intended action. If any statute shall provide for a

1 different method of publication, the affected agency shall
 2 comply with the statute in addition to the requirements
 3 contained herein. However, in no case shall the notice
 4 period be less than twenty (20) days.

5 (b) Afford interested persons reasonable opportunity to
 6 submit data, views or arguments, orally or in writing. In
 7 the case of substantive rules, opportunity for oral hearing
 8 shall be granted if requested by either ten per cent (10%)
 9 or twenty-five (25) of the persons who will be directly
 10 affected by the proposed rule, by a governmental subdivision
 11 or agency or by an association having not less than
 12 twenty-five (25) members who will be directly affected.
 13 Contested case procedures need not be followed in hearings
 14 held pursuant to this section. Where a hearing is otherwise
 15 required by statute, nothing herein shall be deemed to alter
 16 that requirement. The agency shall consider fully written
 17 and oral submissions respecting the proposed rule. Upon
 18 adoption of a rule, an agency, if requested to do so by an
 19 interested person either prior to adoption or within thirty
 20 (30) days thereafter, shall issue a concise statement of the
 21 principal reasons for and against its adoption,
 22 incorporating therein its reasons for overruling the
 23 considerations urged against its adoption.

24 (c) Refer each rule proposed to be adopted, following
 25 compliance with paragraphs (a) and (b), to the

1 administrative code committee of the legislature.

2 (2) If an agency finds that an imminent peril to the
3 public health, safety or welfare requires adoption of a rule
4 upon fewer than twenty (20) days' notice and states in
5 writing its reasons for that finding, it may proceed,
6 without prior notice or hearing or upon any abbreviated
7 notice and hearing that it finds practicable, to adopt an
8 emergency rule. The rule may be effective for a period not
9 longer than one hundred and twenty (120) days, but the
10 adoption of an identical rule under subsections (1) (a) and
11 (1) (b) of this section is not precluded. The sufficiency of
12 the reasons for a finding of imminent peril to the public
13 health, safety or welfare shall be subject to judicial
14 review.

15 (3) No rule adopted after the effective date of this
16 act shall be valid unless adopted in substantial compliance
17 with subsections (1) and (2) of this section.

18 (4) An agency may use informal conferences and
19 consultations as a means of obtaining the viewpoints and
20 advice of interested persons with respect to contemplated
21 rule making. An agency may also appoint committees of
22 experts or interested persons or representatives of the
23 general public to advise it with respect to any contemplated
24 rule making. The powers of the committees shall be advisory
25 only. Nothing herein shall relieve the agency from following

1 rule-making procedures required by this act.

2 (5) Rules shall not unnecessarily repeat statutory
3 language. Whenever it is necessary to refer to statutory
4 language in order to convey the meaning of a rule
5 interpreting the language, the reference shall clearly
6 indicate that portion of the language which is statutory and
7 the portion which is amplification of the language. Each
8 rule shall include a citation of authority pursuant to which
9 it, or any part thereof, is adopted.

10 (6) Each agency shall at least annually review its
11 rules to determine if any new rule should be adopted or any
12 existing rule should be modified or repealed."

13 Section 6. This act is effective upon passage and
14 approval.

-End-

SB268

JUDICIARY COMMITTEE
February 14, 1975

The meeting was called to order by Senator Towe, Chairman, at 9:35 a.m. in Room 405 of the Capitol Building.

The following bills were heard:

HB 183

SB 268

SB 223

HB 183 -- Representative James Moore, District 18, and sponsor of the bill, stated the bill is actually a compromise recodification bill creating a Code Commission. The Commission would be composed of one lay member each from the House and Senate and five attorneys from various sources. They will meet within sixty days after the effective date, and will appoint a Code Commissioner who will be housed in the Legislative Council. The Code Commissioner will be given strict recodification powers without revisionary powers but he would file a yearly report of revisionary suggestions to the Council. The Council in turn would prepare a legislative revision package. The state may publish and sell the codes. Rep. Moore suggested the bill be effective upon passage and that the Code Commission be phased out after revision is complete.

Gary Doran, representing Human Services research project stated a broad based approach would generate interest and the end product would be usable by the public. He urged support of the bill.

SB 268 -- Senator Lynch, District 42, and sponsor of the bill, stated the bill creates an interim committee known as the administrative code committee.

Steve Brown, staff attorney with the Governor's office, stated his support of the bill. He said the bill establishes the committee, provides the committee may hold hearings and review rules submitted by the agencies of state government.

EXECUTIVE SESSION

SB 49 -- Senator Turnage moved SB 49 do not pass. WITH SENATORS ROBERTS, TCWE, GREELY AND WARDEN VOTING NO, THE MOTION FAILED ON A ROLL CALL VOTE.

Senator Turnage asked that the attached letter from the Board of Real Estate be attached to the minutes as Exhibit A.

Senator Drake moved the Committee introduce a self-executing full disclosure bill. THE MOTION CARRIED UNANIMOUSLY ON A ROLL CALL VOTE.

Senator Greely moved SB 49 do not pass. THE MOTION CARRIED UNANIMOUSLY ON A ROLL CALL VOTE.

HB 187 -- Senator Drake moved HB 187 do not concur in. Senator Turnage seconded the motion. WITH SENATORS GREELY AND ROBERTS VOTING NO, THE MOTION CARRIED ON A ROLL CALL VOTE.

SB 393 -- Senator Robert J. moved SB 393 do not pass. As a substitute motion Senator Cetrone moved to amend the bill. As a substitute motion Senator Towe moved that SB 393 do pass. Senator Drake made a substitute motion to strike section 1 and rewrite the title, and to amend sections 2 and 3 to eliminate reference to section 70-703 and the Human Rights Commission. He further moved to amend section 4 by striking everything after line 10. WITH SENATOR BROWN VOTING NO, THE MOTION CARRIED ON A ROLL CALL VOTE.

Senator Towe moved SB 393 as amended do pass. THE MOTION CARRIED ON A ROLL CALL VOTE WITH SENATORS GREELY AND ROBERTS VOTING NO.

SB 268 -- Senator Roberts moved SB 268 do not pass. As a substitute motion, Senator Turnage moved to amend page 1, line 25, page 2, line 1, following "party" by striking "a member of the same political party". THE MOTION CARRIED ON A ROLL CALL VOTE WITH SENATOR BROWN VOTING NO.

SB 268 -- Senator Greely moved to strike section 4 in its entirety and insert new language (See attached Committee Report). THE MOTION CARRIED UNANIMOUSLY ON A ROLL CALL VOTE.

Senator Turnage moved SB 268 do pass as amended. WITH SENATORS TOWE AND ROBERTS VOTING NO, THE MOTION CARRIED.

SB 125 -- Senator Drake moved to amend page 8, line 16 by striking the second "if"; page 9, lines 11 and 12, by striking "of not longer than one hundred twenty (120) days"; and page 12, lines 4 and 5 by striking ", by not less than two-thirds of the members of the council". THE MOTION CARRIED UNANIMOUSLY ON A ROLL CALL VOTE.

Senator Turnage moved SB 125 do pass as amended. As a substitute motion, Senator Greely moved SB 125 do not pass as amended. THE MOTION CARRIED ON A ROLL CALL VOTE WITH SENATORS DRAKE, BROWN AND TURNAGE VOTING NO.

HB 183 -- Senator Brown moved HB 183 do pass. As a substitute motion
SB 219 Senator Greely moved SB 219 do pass. THE MOTION CARRIED
SB 226 UNANIMOUSLY ON A ROLL CALL VOTE.

Senator Brown withdrew his motion on HB 183 and the Committee agreed to let HB 183 and SB 226 sit in committee.

SB 390 -- Senator Turnage moved to pass consideration of SB 390. THE MOTION CARRIED UNANIMOUSLY ON A ROLL CALL VOTE.

SB 175 -- Senator Drake moved amendments 8, 9, 11, 12, 14, 16, 23, 27 and 28 on the attached Committee Report. THE MOTION

SENATE BILL NO. 268 Senator Neil J. Lynch, District #42, is chief sponsor of this act to create a permanent joint interim committee of the legislature known as the administrative code committee. He stated this bill is the panacea of all the problems we have been hearing for the past half hour. A lot of other states have been experiencing these problems too. Section 4 was struck because of a Supreme Court case. The amendments in the bill are a compromise.

Proponent Senator Turnage stated he will support the bill but wants the governor's office amendments taken out. The way the bill came in it was a good piece of legislation but when the governor's office sent down amendments they neutralized the bill.

Proponent Bill Groff stated they favor this piece of legislation. Proponent Steve Brown stated another important function this committee can perform is that they will be in a position to make recommendations on which rules should be repealed or are a problem. Proponent Russ Doty from the Public Service Commission stated they favor this piece of legislation.

Senator Lynch stated he wouldn't close, that enough had been said.

Representative Meloy questioned which section in the APA says if legislature does not file the rule it remains valid, and what is the effect of this section legally on the rules which have been adopted when there is a joint resolution pending? Steve Brown stated he assumes it remains in effect until the next one goes into effect.

Senator Turnage stated the APA is the only long arm of the legislature. Following brief discussion the hearing was closed.

SENATE BILL NO. 219 Senator Larry Fasbender, District #17, is chief sponsor of this act to provide for the office of code revisor within the legislative council. He stated this bill is the outgrowth of two years' of work to recodify laws of Montana which used to be done about every fourteen years but hasn't been done now since 1947.

SENATE BILL NO. 48 Senator Lynch is chief sponsor of this act to provide that an auto liability insurer may not refuse to renew an insurance policy except for nonpayment of premium or suspension or revocation of a driver's license.

Representative Baeth moved BE CONCURRED IN. Motion carried with Representatives Yardley and Halvorson abstaining. Representatives Meloy, Kimble, Day, Vincent and Rasmussen absent. Representative Seifert left a written vote of yes.

SENATE BILL NO. 223 Representative Lory moved we defer action until committee can find out what happens to Representative Yardley's bill on the same subject. Motion carried.

SENATE BILL NO. 125 Senator Turnage is chief sponsor of this act classifying rules made under the Administrative Procedures Act as adjective or substantive rules.

Representative Kimble made a motion of BE NOT CONCURRED IN. Motion seconded by Representative Baeth. Motion carried with Representatives Hager and Moore voting no, Representative Scully abstained and Representatives Meloy, Vincent, and Rasmussen absent. Representative Seifert left a written vote of yes.

SENATE BILL NO. 268 Senator Lynch is chief sponsor of this measure to create a permanent administrative code committee.

Representative Baeth moved to amend the title following the word "committee" in line 8 through line 9 and also put back in Section 4 on page 2 through line 7 on page 3. Representative Moore stated this bill provides a watchdog on Administrative Procedures Act. Representative Yardley stated this bill is quite a major shift. Representative Moore stated he was not very excited about the bill but missed the hearing; he likes the last provision which might keep them from promulgating 10,000 rules. Representative Scully stated that no one ever checks on rules and regulations.

Representative Baeth withdrew his original motion and moved to amend the title, line 8 following "committee" through line 9 and also change in the title "84-4204" to "82-4204". Motion to amend carried.

Representative Baeth moved DO PASS AS AMENDED.
Motion carried unanimously.

SENATE BILL NO. 314 Senator Brown is chief sponsor of this act to provide a cause of action for damages where there has been a violation of rights protected by the fourth amendment of the Constitution of the United States and the Montana Constitution.

Representative Huennekens moved BE CONCURRED IN.
Representative Kimble made a substitute motion of BE NOT CONCURRED IN which Representative Lester seconded. Motion BE NOT CONCURRED IN carried with Representatives Baeth, Anderson, Lory and Hager voting no.

SENATE BILL NO. 76 Senator Greely is chief sponsor of this measure to revise political campaign reporting requirements. This bill was passed from committee previously with commissioner's salary amended and a move was made to get it back into committee.

Representative Kimble moved to change the commissioner's salary to \$25,000. This is what it was in the original bill. Joan Woodgerd, from the Secretary of State's office, stated the salary was set at \$25,000 because they felt a person who ran for a five year term, who couldn't succeed himself, and who couldn't run for political office together with the fact that they need a highly qualified person they would need a good salary to get such a person. She stated that the budget as proposed envisions that in off years the staff would consist of the commissioner, an assistant and a secretary. In an election year if the commissioner is not an attorney they would hire

MR. **SPEAKER:**

We, your committee on **JUDICIARY**

having had under consideration **SENATE** Bill No. **268**

A BILL FOR AN ACT ENTITLED: "AN ACT CREATING A PERMANENT JOINT INTERIM COMMITTEE OF THE LEGISLATURE KNOWN AS THE ADMINISTRATIVE CODE COMMITTEE; PROVIDING FOR THE REVIEW OF RULES PROPOSED TO BE ADOPTED UNDER THE ADMINISTRATIVE PROCEDURE ACT BY THE COMMITTEE; AUTHORIZING THE COMMITTEE TO SUSPEND RULES UNTIL THE NEXT REGULAR LEGISLATIVE SESSION; AMENDING SECTION 84-4204, R.C.M. 1947; AND PROVIDING AN EFFECTIVE DATE."

Respectfully report as follows: That **SENATE** Bill No. **268**

Be amended in the third reading bill as follows:

1. Amend title, page 1, lines 8 and 9.
Following: "COMMITTEE;"
Strike: "AUTHORIZING THE COMMITTEE TO SUSPEND RULES UNTIL THE NEXT REGULAR LEGISLATIVE SESSION;"
2. Amend title, page 1, line 10.
Following: "SECTION;"
Strike: "84-4204"
Insert: "82-4204"

SENATE BILL NO. 268

INTRODUCED BY LYNCH, FLYNN, TURNAGE

A BILL FOR AN ACT ENTITLED: "AN ACT CREATING A PERMANENT JOINT INTERIM COMMITTEE OF THE LEGISLATURE KNOWN AS THE ADMINISTRATIVE CODE COMMITTEE; PROVIDING FOR THE REVIEW OF RULES PROPOSED TO BE ADOPTED UNDER THE ADMINISTRATIVE PROCEDURE ACT BY THE COMMITTEE; ~~AUTHORIZING THE COMMITTEE TO SUSPEND RULES UNTIL THE NEXT REGULAR LEGISLATIVE SESSION;~~ AMENDING SECTION ~~84-4204~~ 82-4204 R.C.M. 1947; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Administrative code committee -- appointment and term of members -- officers. The administrative code committee consists of four (4) members of the senate and four (4) members of the house of representatives appointed before the sixtieth legislative day of the regular session in the same manner as standing committees of the respective houses are appointed. A vacancy on the committee occurring when the legislature is not in session shall be filled by the selection of a member of the legislature by the remaining members of the committee. No more than two (2) of the appointees of each house may be members of the same political party. A member

~~of the same political party.~~ A member of the committee shall serve until his term of office as a legislator ends or until the end of the sixtieth legislative day of the session of the biennium following his appointment or until his successor is appointed, whichever occurs first. The committee shall elect one (1) of its members as chairman and such other officers as it deems necessary.

Section 2. Meetings. The committee shall meet as often as may be necessary, during and between legislative sessions. Committee members shall be reimbursed from the appropriation to the legislative council for their actual and necessary expenses incurred as a result of interim meetings, and paid compensation as provided by law for interim standing committees.

Section 3. Appointment of employees and consultants. The administrative code committee may appoint whatever employees, consultants, or counsel are necessary to carry out the provisions of this act, within the limitations of legislative appropriations.

Section 4. Hearings~~----~~~~suspension of rule~~~~----~~~~notice~~~~----~~~~publication.~~~~----~~~~The committee shall consider~~~~----~~~~all~~~~----~~~~rules referred to it under~~~~----~~~~section 82-4204, and shall conduct hearings on such rules as it considers necessary.~~~~----~~~~The committee may suspend any rule promulgated subsequent to the adjournment of the last preceding regular session of the~~

REFERENCE BILL

~~legislature. The committee shall notify the promulgating state agency and the secretary of state of any rule it suspends, which rule shall not be published in the administrative code or supplement while so suspended. The period of suspension runs until the next regular session of the legislature convenes. The committee shall report each suspension to the next legislature.~~ POWERS OF THE COMMITTEE.

(1) THE COMMITTEE SHALL REVIEW ALL PROPOSED RULES REFERRED TO IT UNDER SECTION 82-4202 AND MAY:

(A) PREPARE WRITTEN RECOMMENDATIONS FOR THE ADOPTION, AMENDMENT OR REJECTION OF A RULE AND SUBMIT THOSE RECOMMENDATIONS TO THE DEPARTMENT PROPOSING THE RULE WHEN A RULE-MAKING HEARING WILL NOT BE HELD IN ACCORDANCE WITH THE PROVISIONS OF SECTION 82-4204;

(B) PREPARE RECOMMENDATIONS FOR THE ADOPTION, AMENDMENT OR REJECTION OF A RULE AND SUBMIT ORAL OR WRITTEN TESTIMONY AT A RULE-MAKING HEARING; OR

(C) REQUEST THAT A RULE-MAKING HEARING BE HELD IN ACCORDANCE WITH THE PROVISION OF SECTION 82-4204.

(2) THE COMMITTEE SHALL PREPARE A REPORT TO THE LEGISLATURE AT LEAST ONCE EACH BIENNIUM AND MAY RECOMMEND AMENDMENTS TO THE ADMINISTRATIVE PROCEDURE ACT OR THE REPEAL, AMENDMENT OR ADOPTION OF A RULE AS PROVIDED IN SECTION 82-4203.1.

Section 5. Section 82-4204, R.C.M. 1947, is amended to

read as follows:

"82-4204. Adoption -- amendment or repeal of rules -- emergency rules. (1) Prior to the adoption, amendment or repeal of any rule, the agency shall:

(a) Give written notice of its intended action. The notice shall include a statement of either the terms or substance of the intended action or a description of the subjects and issues involved, and the time when, place where, and manner in which interested persons may present their views thereon. The notice shall be filed with the secretary of state for publication in the Montana administrative register as provided in section 6 (2) [82-4206 (2)] of this act and mailed to persons who have made timely requests to the agency for advance notice of its rule-making proceedings. The notice shall be published and mailed at least twenty (20) days in advance of the agency's intended action. If any statute shall provide for a different method of publication, the affected agency shall comply with the statute in addition to the requirements contained herein. However, in no case shall the notice period be less than twenty (20) days.

(b) Afford interested persons reasonable opportunity to submit data, views or arguments, orally or in writing. In the case of substantive rules, opportunity for oral hearing shall be granted if requested by either ten per cent (10%)

or twenty-five (25) of the persons who will be directly affected by the proposed rule, by a governmental subdivision or agency or by an association having not less than twenty-five (25) members who will be directly affected. Contested case procedures need not be followed in hearings held pursuant to this section. Where a hearing is otherwise required by statute, nothing herein shall be deemed to alter that requirement. The agency shall consider fully written and oral submissions respecting the proposed rule. Upon adoption of a rule, an agency, if requested to do so by an interested person either prior to adoption or within thirty (30) days thereafter, shall issue a concise statement of the principal reasons for and against its adoption, incorporating therein its reasons for overruling the considerations urged against its adoption.

(c) Refer each rule proposed to be adopted, following compliance with paragraphs (a) and (b), to the administrative code committee of the legislature.

(2) If an agency finds that an imminent peril to the public health, safety or welfare requires adoption of a rule upon fewer than twenty (20) days' notice and states in writing its reasons for that finding, it may proceed, without prior notice or hearing or upon any abbreviated notice and hearing that it finds practicable, to adopt an emergency rule. The rule may be effective for a period not

longer than one hundred and twenty (120) days, but the adoption of an identical rule under subsections (1) (a) and (1) (b) of this section is not precluded. The sufficiency of the reasons for a finding of imminent peril to the public health, safety or welfare shall be subject to judicial review.

(3) No rule adopted after the effective date of this act shall be valid unless adopted in substantial compliance with subsections (1) and (2) of this section.

(4) An agency may use informal conferences and consultations as a means of obtaining the viewpoints and advice of interested persons with respect to contemplated rule making. An agency may also appoint committees of experts or interested persons or representatives of the general public to advise it with respect to any contemplated rule making. The powers of the committees shall be advisory only. Nothing herein shall relieve the agency from following rule-making procedures required by this act.

(5) Rules shall not unnecessarily repeat statutory language. Whenever it is necessary to refer to statutory language in order to convey the meaning of a rule interpreting the language, the reference shall clearly indicate that portion of the language which is statutory and the portion which is amplification of the language. Each rule shall include a citation of authority pursuant to which

1 it, or any part thereof, is adopted.

2 (6) Each agency shall at least annually review its
3 rules to determine if any new rule should be adopted or any
4 existing rule should be modified or repealed."

5 Section 6. This act is effective upon passage and
6 approval.

-End-